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Permit No.: ST-5506

Issuance Date: March 8, 2004

Effective Date: May 1, 2004

Expiration Date: April 30, 2009

STATE WASTE DISCHARGE PERMIT

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
CENTRAL REGIONAL OFFICE

In compliance with the provisions of the
State of Washington Water Pollution Control Law
Chapter 90.48 Revised Code of Washington, as amended,
and
the Federal Water Pollution Control Act
(The Clean Water Act)
Title 33 United States Code, Section 1251 et seq.,
authorizes

WEYERHAEUSER COMPANY
P.O. BOX 1322
YAKIMA, WA 98907

to discharge wastewater in accordance with the special and general conditions which follow:

<u>Facility Address:</u> 600 West Ahtanum Road Union Gap, WA 98903	<u>Discharge Location:</u> Latitude: 46° 28' 52" N Longitude: 120° 33' 28" W
<u>Publicly-Owned Treatment Works (POTW) Receiving Discharge:</u> Yakima Regional Wastewater Treatment Plant	
<u>Industry Type:</u> Manufacturer of Corrugated and Solid Fiber Boxes (SIC = 2653)	

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Section Manager
Water Quality Program
Central Regional Office
Washington State Department of Ecology

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SUMMARY OF PERMIT REPORT SUBMITTALS

Permit Section	Submittal	Frequency	First Submittal Date
S1.	Memorandum of Understanding	1/permit cycle	November 1, 2004 ^a
S3.A.	Discharge Monitoring Report	Monthly	June 15, 2004
S3.E.	Noncompliance Notification	As necessary	As necessary
S3.F.	Dangerous Waste Spill Notification	As necessary	As necessary
S3.G.	Spill Notification	As necessary	As necessary
S7.C.	Updated Solid Waste Control Plan	1/permit cycle	April 30, 2008 ^b
S8.	Updated Spill and Slug Discharge Control Plan	1/permit cycle	March 1, 2007
S9.A.	Additional Chemical Analysis of Effluent Report	1/permit cycle	March 1, 2005
G7.	Application for permit renewal	1/permit cycle	April 30, 2008 ^c

^a Within 6 months of the effective date of the permit

^b With application for permit renewal

^c At least one (1) prior to permit expiration

SPECIAL CONDITIONS**S1. DISCHARGE LIMITATIONS**

All discharges and activities authorized by this permit shall be consistent with the terms and conditions of this permit. The discharge of any of the following pollutants more frequently than, or at a concentration or mass in excess of that authorized by this permit shall constitute a violation of the terms and conditions of this permit.

Beginning on **May 1, 2004** and lasting through **April 30, 2009**, the Permittee is authorized to discharge pretreated wastewater to the City of Union Gap sanitary sewer collection system for transport to the City of Yakima Regional Wastewater Treatment Facility (receiving POTW), subject to the following limitations:

Effluent Limitations: #001 ^a		
Parameter	Units	Maximum Daily
FOG ^a	mg/L	100
Copper, Total	mg/L	2.0
Copper, Total	lb./day	0.12
Parameter	Daily Discharge Value	
pH	Shall not be outside the range of 5.5 to 10.0.	
^a "FOG" means fats, oils and grease.		

This discharge is regulated by the Department of Ecology. The limits therein are derived from local limits established City of Union Gap and formalized with an Agreement between the Permittee and the City of Union Gap. The Permittee shall submit a signed Agreement formalizing the limitations and monitoring requirements reached during negotiations with the Permittee, and the City of Union Gap by **November 1, 2004**.

S2. MONITORING REQUIREMENTS**A. Monitoring**

Beginning on **May 1, 2004** and lasting through **April 30, 2009**, the Permittee shall monitor the final effluent according to the following schedule:

Parameter	Units	Sampling Frequency	Sample Type
Flow	gpd	Daily ¹	Metered
BOD ₅	mg/L	Monthly	24-hr. composite ²
BOD ₅	lb./day	Monthly	Calculation ³
Copper	mg/L	Twice monthly	24-hr. composite
Copper	lb./day	Twice monthly	Calculation
Lead	mg/L	Quarterly	24-hr. composite
Lead	lb./day	Quarterly	Calculation
Zinc	mg/L	Quarterly	24-hr. composite
Zinc	lb./day	Quarterly	Calculation
Silver	mg/L	Quarterly	24-hr. composite
Silver	lb./day	Quarterly	Calculation
FOG ⁴	mg/L	Monthly	Grab ⁵
pH	Standard Units	Twice monthly	Grab
TSS	mg/L	Monthly	24-hr. composite
TSS	lb./day	Monthly	Calculation
¹ "Daily" means collected every calendar day the facility is in operation.			
² "24-hr. composite" means a series of, at least, four individual samples collected over a 24-hour period at selected intervals based on an increment of either flow or time, and combined into a single container to be subsequently analyzed as one sample.			
³ "Calculation" means calculated using the respective sample's concentration and Total Flow (mg/L x flow in MGD x 8.34)			
⁴ "FOG" means fats, oil and grease.			
⁵ "Grab" means an individual sample collected in less than fifteen (15) minutes.			

After the second year of operation the Permittee may submit a revised sampling plan to the Department. Request for reduction in monitoring frequencies will be granted at the Department's discretion following consultation with the City of Union Gap and the City of Yakima.

B. Sampling and Analytical Procedures

Samples and measurements taken to meet the requirements of this permit shall be representative of the volume and nature of the monitored parameters, including representative sampling of any unusual discharge or discharge condition, including bypasses, upsets and maintenance-related conditions affecting effluent quality.

Sampling and analytical methods used to meet the water and wastewater monitoring requirements specified in this permit shall conform to the latest revision of the *Guidelines Establishing Test Procedures for the Analysis of Pollutants* contained in 40 CFR Part 136 or to the latest revision of *Standard Methods for the Examination of Water and Wastewater* (APHA), unless otherwise specified in this permit or approved in writing by the Department of Ecology (Department).

C. Flow Measurement

Appropriate flow measurement devices and methods consistent with accepted scientific practices shall be selected and used to ensure the accuracy and reliability of measurements of the quantity of monitored flows. The devices shall be installed, calibrated, and maintained to ensure that the accuracy of the measurements are consistent with the accepted industry standard for that type of device. Frequency of calibration shall be in conformance with manufacturer's recommendations. In addition, in the case of nested meters, the sum of the nested meters shall not be greater from the upstream meter. In the event error is greater than 5% recalibration or replacement of the defective meter is required.

D. Laboratory Accreditation

All monitoring data required by the Department shall be prepared by a laboratory registered or accredited under the provisions of, *Accreditation of Environmental Laboratories*, Chapter 173-50 WAC. Flow, temperature, settleable solids, conductivity, pH, and internal process control parameters are typically exempt from this requirement. However, if required by this permit to be monitored, conductivity and pH shall be accredited if the laboratory must otherwise be registered or accredited.

S3. REPORTING AND RECORDKEEPING REQUIREMENTS

The Permittee shall monitor and report in accordance with the following conditions. The falsification of information submitted to the Department shall constitute a violation of the terms and conditions of this permit.

A. Reporting

The first monitoring period begins on **May 1, 2004**. Monitoring results shall be submitted **Monthly**. Monitoring results shall be reported on a Discharge Monitoring Report (DMR) form as provided, or otherwise approved, by the Department. The Permittee shall ensure that the original DMR forms are received by the Department no later than the 15th day of the month following each completed monitoring period. The original DMRs and other submittals required by this permit shall be sent to:

**Water Quality Permit Data Coordinator
Washington State Department of Ecology
Central Regional Office
15 West Yakima Avenue, Suite 200
Yakima, Washington 98902**

The Permittee shall also submit copies no later than the 15th day of the month copies of the completed DMR forms and other submittals to:

**Scott Schaffer
City of Yakima
Wastewater Treatment Plant
2220 E. Viola
Yakima WA 98901**

And to:

**Dennis Henne
Public Works Director
City of Union Gap
102 W. Ahtanum Road
Union Gap, WA 98903**

DMR forms must be submitted whether or not the facility was discharging. If there was no discharge or the facility was not operating during a given monitoring period, the Permittee shall submit the DMR form as required with the words "no discharge" entered in place of the applicable monitoring results.

B. Records Retention

The Permittee shall retain records of all monitoring information for a minimum of three (3) years. Such information shall include all calibration and maintenance records and all original recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to

complete the application for this permit. This period of retention shall be extended during the course of any unresolved litigation regarding the discharge of pollutants by the Permittee or when requested by the Director.

C. Recording of Results

For each measurement or sample taken, the Permittee shall record the following information:

1. The date, exact place, method, and time of sampling;
2. The individual who performed the sampling or measurement;
3. The dates the analyses were performed;
4. The name(s) of the person(s) who performed the analyses;
5. The analytical techniques or methods used; and
6. The results of all applicable analyses.

D. Additional Monitoring by the Permittee

If the Permittee monitors any pollutant more frequently than required by this permit using test procedures specified by Condition S2. of this permit, then the results of such monitoring shall be included in calculation and reporting of the data submitted in the Permittee's DMR forms. The Permittee shall also submit to the receiving POTW copies of all such additional monitoring laboratory worksheets.

E. Noncompliance Notification

In the event the Permittee is unable to comply with any of the terms and conditions of this permit due to any cause, the Permittee shall:

1. Immediately take action to stop, contain, and cleanup unauthorized discharges or otherwise stop the violation, and correct the problem;
2. Repeat sampling and analysis of any violation and submit the results to the Department within thirty (30) days after becoming first aware of the violation;
3. Immediately notify the Department, the City of Union Gap and the receiving Yakima POTW manager of the failure to comply; and
4. Submit a detailed written report to both the Department, the City of Union Gap and the receiving Yakima POTW within thirty (30) days (5 days for upsets and bypasses), unless requested earlier by the Department. The report should describe the nature of the violation, corrective action taken and/or planned, steps to be taken to prevent a recurrence, results of the resampling, and any other pertinent information.

Compliance with these requirements does not relieve the Permittee from responsibility to maintain continuous compliance with the terms and conditions of this permit or the resulting liability for failure to comply.

F. Dangerous Waste Discharge Notification

The Permittee shall notify, in writing, the receiving Yakima POTW, the City of Union Gap and the Department of the intent to discharge into the receiving Yakima POTW any substance designated as a dangerous waste in accordance with the provisions of WAC 173-303-070. This notification shall be made at least ninety (90) days prior to the date that discharge is proposed to be initiated. Written approval from the Department shall be received by the Permittee prior to discharge of dangerous wastes.

G. Spill Notification

The Permittee shall notify the receiving Yakima POTW, the City of Union Gap and the Department immediately (as soon as first discovered) of all discharges that could cause problems to the receiving Yakima POTW, such as process spills and unauthorized discharges (including slug discharges).

S4. OPERATION AND MAINTENANCE

A. Operations and Maintenance

The Permittee shall at all times be responsible for the proper and adequate operation and maintenance of all collection and pretreatment facilities which have been installed to achieve compliance with the terms and conditions of this permit.

B. Bypass Procedures

The Permittee shall immediately notify, the receiving Yakima POTW, the City of Union Gap and the Department of any spill, overflow, or bypass from any portion of the Permittee's collection or pretreatment system. The bypass of wastes from any portion of the collection or pretreatment system is prohibited unless one or more of the following conditions (1, 2, or 3) applies:

1. Unavoidable Bypass

A bypass which is unavoidable to prevent loss of life, personal injury, or severe property damage. "Severe property damage" means substantial physical damage to property, damage to the collection or pretreatment facilities which would cause them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass.

If the resulting bypass from any portion of the collection or pretreatment facilities results in noncompliance with the terms and conditions of this permit, the Permittee shall immediately notify the receiving Yakima POTW, the City of Union Gap and the Department in accordance with this permit's Condition S3.E. "Noncompliance Notification."

2. Anticipated Bypass That Has The Potential to Violate Permit Limits or Conditions

The Permittee shall notify and the receiving Yakima POTW, the City of Union Gap and the Department at least thirty (30) days before the planned date of bypass. The notice shall contain:

- a. A description of the bypass and its cause;
- b. An analysis of all known alternatives which would eliminate, reduce, or mitigate the need for bypassing;
- c. A cost-effectiveness analysis of alternatives including comparative resource damage assessment;
- d. The minimum and maximum duration of bypass under each alternative;
- e. A recommendation as to the preferred alternative for conducting the bypass;
- f. The projected date of bypass initiation;
- g. A statement of compliance with SEPA; and
- h. All of the steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass.

For probable construction bypasses, the need to bypass is to be identified as early in the planning process as possible. The analysis required above shall be considered during preparation of the engineering report or facilities plan and plans and specifications and shall be included to the extent practical. In cases where the probable need to bypass is determined early, continued analysis is necessary up to and including the construction period in an effort to minimize or eliminate the bypass.

- a. If the bypass is necessary to perform construction or maintenance-related activities essential to meet the requirements of this permit;
- b. If there are feasible alternatives to bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, stopping production, maintenance during normal periods of equipment down time, or transport of untreated wastes to another treatment facility; and
- c. If the bypass is planned and scheduled to minimize adverse effects on the public and the environment.

After consideration of the above and the adverse effects of the proposed bypass and any other relevant factors, the Department will approve or deny the request. The public shall be notified and given an opportunity to comment on bypass incidents of significant duration, to the extent feasible.

3. Bypass For Essential Maintenance Without the Potential to Cause Violation of Permit Limits or Conditions

Bypass is authorized if it is for essential maintenance and does not have the potential to cause violations of limitations or other conditions of this permit, a violation of a pretreatment standard or requirement, or adversely impact public health as determined by the Department prior to the bypass.

S5. PROHIBITED DISCHARGES

A. General Prohibitions

The Permittee shall not introduce into the City of Union Gap sewer collection system pollutant(s) which cause Pass-Through or Interference at the Yakima POTW.

B. Specific Prohibitions

In addition, the Permittee shall not introduce into the City of Union Gap sewer collection system or into the Yakima POTW any of the following:

1. Pollutants which create a fire or explosion hazard in the sewer collection system or receiving POTW (including, but not limited to waste streams with a closed cup flashpoint of less than one hundred and forty degrees (140°) Fahrenheit or sixty degrees (60°) Centigrade using the test methods specified in 40 CFR 261.21);

2. Pollutants which will cause corrosive structural damage to the sewer collection system or the receiving POTW;
3. Solid or viscous pollutants in amounts that could cause obstruction to the sewer collection system or receiving POTW flow or otherwise interfere with the operation of the sewer collection system or receiving POTW;
4. Any pollutant, including oxygen demanding pollutants, (BOD, etc.) released in a discharge at a flow rate and/or pollutant concentration which could cause interference with the receiving POTW;
5. Petroleum oil, nonbiodegradable cutting oil, or products of mineral origin in amounts which could cause interference or pass through with the receiving POTW;
6. Pollutants which result in the presence of toxic gases, vapors, or fumes within the sewer collection system or the receiving POTW in a quantity which could cause acute worker health and safety problems;
7. Pollutants that have any corrosive property capable of causing damage or hazard to structures, equipment, or personnel of the receiving POTW, but in no case discharges with pH lower than 5.5 or greater than 10.0;
8. Heat in amounts that will inhibit biological activity in the receiving POTW resulting in interference but, in no case, heat in such quantities such that the temperature at the receiving POTW headworks exceeds forty degrees (40°) Centigrade or one hundred and four degrees (104°) Fahrenheit unless the receiving POTW, upon request of the Permittee, approves, in writing, alternate temperature limits;
9. Any trucked or hauled pollutants, except at discharge points designated by the City of Union Gap and the Yakima POTW; or
10. Wastewaters prohibited to be discharged to the receiving POTW by the Dangerous Waste Regulations (Chapter 173-303 WAC), unless authorized in writing by the Department and the Yakima POTW.

C. Prohibited Unless Approved

All of the following discharges are prohibited from being discharged into the City of Union Gap sewer collection system or into the Yakima POTW unless approved by the Yakima POTW, the City of Union Gap and the Department under extraordinary circumstances (such as a lack of direct discharge alternatives due to combined sewer service or a need to augment sewage flows due to septic conditions):

1. Non-contact cooling water in significant volumes;
2. Storm water and other direct inflow sources; and
3. Wastewaters significantly affecting system hydraulic loading, which do not require treatment or would not be afforded a significant degree of treatment by the receiving POTW treatment system.

S6. DILUTION PROHIBITED

The Permittee shall not dilute the wastewater discharge with stormwater or increase the use of potable water, process water, non-contact cooling water, or, in any way, attempt to dilute an effluent as a partial or complete substitute for adequate treatment to achieve compliance with the limitations contained in this permit.

S7. SOLID WASTE DISPOSAL

A. Solid Waste Handling

The Permittee shall handle and dispose of all solid waste material in such a manner as to prevent its entry into State ground water, surface water or the Yakima POTW. The Permittee shall comply with all of the applicable requirements of Chapter 173-304 WAC.

B. Leachate

The Permittee shall not allow leachate from its solid waste material to enter State waters without providing "all known, available and reasonable methods of prevention, treatment, and control" (AKART) nor allow such leachate to cause violations of the State Surface Water Quality Standards, Chapter 173-201A WAC, or the State Ground Water Quality Standards, Chapter 173-200 WAC. The Permittee shall apply for a permit or permit modification as may be required for such discharges to State ground or surface waters.

C. Solid Waste Control Plan

The most current version of the Solid Waste Control Plan shall be maintained at the Permittee's site and shall be made readily available to both facility personnel and representatives of the Department. The Permittee shall comply with the most current version of the plan. The Permittee shall review the plan and update it as needed. The Permittee shall submit an Updated Solid Waste Control Plan by **April 30, 2008**.

S8. SPILL AND SLUG DISCHARGE CONTROL PLAN UPDATE

By **March 1, 2007**, the Permittee shall prepare and submit to the Department a Spill and Slug Discharge Control Plan Update to minimize the potential of spills and slug discharges from occurring at the Permittee's facility.

The Permittee shall comply with the most current Spill and Slug Control Discharge Plan. The plan shall include at a minimum the following information and procedures relating to the prevention of spills and unauthorized slug discharges:

1. A description of a reporting system to be used to immediately notify the management of the Permittee's facility, the Department, the City of Union Gap, and the Yakima POTW's supervisor, and all other appropriate State, federal, and local authorities, of all spill and slug discharges and shall submit a written follow-up report within five (5) days to all such entities;
2. A description of operator training, equipment, and facilities (including an overall facility plot showing drainage patterns and plan) for preventing, containing and pretreating, where applicable, spills and slug discharges;
3. A list of all raw materials, products, chemicals, and hazardous materials used, processed, or stored at the facility; the normal quantity maintained on the premises for each listed material; and a map showing where they are located;
4. A description of discharge practices for batch and continuous processes under normal and non-routine circumstances;
5. A brief description of any unauthorized discharges which occurred during the 36-month period preceding the effective date of this permit and subsequent measures taken by the Permittee to prevent, reduce or eliminate the possibility of further unauthorized discharges;
6. An implementation schedule including additional operator training and procurement and installation of equipment or facilities required to properly implement the plan; and
7. A list of all oil and petroleum products, materials, which when spilled, or otherwise released into the environment, are designated Dangerous (DW) or Extremely Hazardous Waste (EHW) by the procedures set forth in WAC 173-303-070, or other materials which may become pollutants or cause pollution upon reaching waters of the State.

Plans and manuals required by 40 CFR Part 112, contingency plans required by Chapter 173-303 WAC, or other plans required by other agencies which meet the intent of this section may be submitted. The Permittee shall review its Spill and Slug Discharge Control Plan and update it as needed. All revisions or updates of the plan shall be

submitted to the Department. The most current plan shall be maintained at the Permittee's discharge site and shall be made readily available to both facility personnel and representatives of the Department.

S9. ADDITIONAL CHEMICAL ANALYSIS OF EFFLUENT

A. General Requirements

1. The Permittee shall conduct additional chemical analyses of the process wastewater effluent discharged to the City of Union Gap sanitary sewer collection system by **September 1, 2004**. The Permittee shall, by **March 1, 2005**, submit an Additional Chemical Analysis of Effluent Report to both the Department and the receiving POTW. The Report shall contain the complete results of the additional analyses.
2. The effluent sample shall be analyzed for all of the priority pollutants listed in both Table I and Table II of Appendix D to 40 CFR Part 122.
3. The effluent sample shall be analyzed in accordance with the protocols, monitoring requirements, and QA/QC procedures specified in this section

B. Monitoring Requirements

1. The sample of process wastewater effluent shall be collected for analyses during normal working hours of the Permittee's facility and shall be representative of the effluent discharged to the receiving POTW.
2. The sample of the effluent shall be a representative composite consisting of continuous sampling or, at least, six grab samples equally spaced over a 24-hour period, except for cyanide, volatile organics and phenols which shall be collected as grab samples and separately analyzed.

C. Protocols

Sample analysis shall be conducted in accordance with 40 CFR Part 136.

D. Quality Assurance/Quality Control Procedures

The Permittee shall follow the quality assurance procedures of 40 CFR Part 136.

GENERAL CONDITIONS

G1. SIGNATORY REQUIREMENTS

All applications, reports, or information submitted to the Department shall be signed as follows:

A. Permit Applications

All permit applications shall be signed by either a principal executive officer or a ranking elected official.

B. Reports

All reports required by this permit and other information requested by the Department shall be signed by a person described above or by a duly authorized representative of that person. A person is a duly authorized representative only if:

1. The authorization is made in writing by a person described above and submitted to the Department at the time of application; and
2. The authorization specifies either a named individual or any individual occupying a named position.

C. Changes to Authorization

If an authorization under subsection B.2., above, is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of subsection B.2., above, must be submitted to the Department prior to or together with any reports, information, or applications to be signed by an authorized representative.

D. Certification

Any person signing a document under this section shall make the following certification:

"I certify under penalty of law, that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

G2. RIGHT OF ENTRY

Representatives of the Department shall have the right to enter at all reasonable times in or upon any property, public or private, for the purpose of inspecting and investigating conditions relating to the pollution or the possible pollution of any waters of the State. "Reasonable times" shall include:

- A. Normal business hours;
- B. Hours during which production, pretreatment, or discharge occur; or
- C. Times when the Department suspects a violation requiring immediate inspection.

Representatives of the Department shall be allowed to have access to, and copy at reasonable cost, any records required to be kept under terms and conditions of this permit; to inspect any monitoring equipment or method required in this permit; and to sample the discharge, pretreatment processes, or internal waste streams.

G3. PERMIT ACTIONS

This permit shall be subject to modification, suspension, or termination, in whole or in part by the Department for any of the following causes:

- A. Violation of any term or condition of this permit;
- B. Obtaining a permit by misrepresentation or failure to disclose all relevant facts;
- C. A material change in quantity or type of waste disposal;
- D. A material change in the condition of the waters of the State; or
- E. Nonpayment of fees assessed pursuant to RCW 90.48.465.

The Department may also modify this permit, including the schedule of compliance or other conditions, if it determines good and valid cause exists, including promulgation or revisions of regulations or new information.

G4. REPORTING A CAUSE FOR MODIFICATION

The Permittee shall submit a new application, or a supplement to the previous application, along with required engineering plans and reports, whenever a new or increased discharge or change in the nature of the discharge is anticipated which is not specifically authorized by this permit. The application shall be submitted at least sixty (60) days prior to any proposed changes. Submission of the application does not relieve the Permittee of the duty to comply with the existing permit until it is modified or reissued.

G5. PLAN REVIEW REQUIRED

Prior to constructing or modifying any wastewater control facilities, an engineering report and detailed plans and specifications shall be submitted to the Department for approval in accordance with Chapter 173-240 WAC. Engineering reports, plans, and specifications should be submitted at least one hundred and eighty (180) days prior to the planned start of construction. Facilities shall be constructed and operated in accordance with the approved plans.

G6. COMPLIANCE WITH OTHER LAWS AND STATUTES

Nothing in this permit shall be construed as excusing the Permittee from compliance with any applicable federal, State, or local statutes, ordinances, or regulations.

G7. DUTY TO REAPPLY

The Permittee must apply for permit renewal at least one (1) year prior to the specified expiration date of this permit.

G8. PERMIT TRANSFER

This permit is automatically transferred to a new owner or operator if:

- A. A written agreement between the old and new owner or operator containing a specific date for transfer of permit responsibility, coverage, and liability is submitted to the Department;
- B. A copy of this permit is provided to the new owner and the receiving POTW is notified; and
- C. The Department does not notify the Permittee of the need to modify this permit.

Unless this permit is automatically transferred according to section A., above, this permit may be transferred only if it is modified to identify the new Permittee and to incorporate such other requirements as determined necessary by the Department.

G9. REDUCED PRODUCTION FOR COMPLIANCE

The Permittee shall control production or discharge to the extent necessary to maintain compliance with the terms and conditions of this permit upon reduction of efficiency, loss, or failure of its pretreatment facility until the pretreatment capacity is restored or an alternative method of pretreatment is provided. This requirement applies in the situation where, among other things, the primary source of power for the pretreatment facility is reduced, lost, or fails.

G10. REMOVED SUBSTANCES

Collected screenings, grit, solids, sludges, filter backwash, or other pollutants removed in the course of pretreatment or control of wastewaters shall not be resuspended or reintroduced by the Permittee back into the effluent stream for discharge.

G11. PAYMENT OF FEES

The Permittee shall submit timely payment of fees associated with this permit as assessed by the Department. The Department may revoke this permit if the permit fees established under Chapter 173-224 WAC are not paid, or are paid in an untimely manner.

G12. PENALTIES FOR VIOLATING PERMIT CONDITIONS

Any person found guilty of willfully violating the terms and conditions of this permit shall be deemed guilty of a crime, and upon conviction thereof shall be punished by a fine of up to ten thousand dollars (\$10,000) and costs of prosecution, or by imprisonment in the discretion of the court. Each day upon which a willful violation occurs may be deemed a separate and additional violation.

Any person who violates the terms and conditions of a waste discharge permit shall incur, in addition to any other penalty as provided by law, a civil penalty in the amount of up to ten thousand dollars (\$10,000) for every such violation. Each and every such violation shall be a separate and distinct offense, and in case of a continuing violation, every day's continuance shall be and be deemed to be a separate and distinct violation.